

27 NCAC 01E .0316 REVOCATION OF REGISTRATION

Whenever it appears that a plan: (1) no longer meets the definition of a prepaid legal services plan; (2) is marketed or operates in a manner that is not consistent with the representations made in the initial registration statement, the registration amendment form, or with the most recent registration renewal form filed with the North Carolina State Bar; (3) is marketed or operates in a manner that constitutes the unauthorized practice of law; (4) is marketed or operates in a manner that violates state or federal laws or regulations, including the rules and regulations of the State Bar; or (5) has failed to pay the annual registration fee, the committee may instruct the secretary of the State Bar to serve upon the plan owner a notice to show cause why the plan's registration should not be revoked. The notice shall specify the plan's apparent deficiency and allow the plan owner to file with the secretary a written response within 30 days of service. If the plan owner fails to file a timely written response, the secretary shall issue an order revoking the plan's registration and shall serve the order upon the plan owner. If a timely written response is filed, the secretary shall schedule a hearing, in accordance with Rule .0317 below, before the committee and shall so notify the plan owner. The secretary may waive such hearing based upon a stipulation by the plan owner and counsel that the plan's apparent deficiency has been cured. All notices to show cause and orders required to be served herein shall be served: (1) by certified mail at the address last provided to the State Bar by the plan owner; (2) in accordance with any other provisions of Rule 4 of the North Carolina Rules of Civil Procedure; or (3) by a State Bar investigator or by any person authorized by Rule 4 of the North Carolina Rules of Civil Procedure to serve process. The State Bar shall not register the registration renewal form of any plan for which the secretary has issued a notice to show cause under this section, but the plan may continue to operate under the prior registration statement until resolution of the show cause notice by the council.

*History Note: Authority G.S. 84-23; 84-23.1
Adopted by the Supreme Court: August 23, 2007;
Amendments Approved by the Supreme Court: September 25, 2020;
Rule was transferred from 27 NCAC 01E .0312 on September 25, 2020.*